

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

| | | |
|---|---|------------------------|
| In re: |) | Chapter 11 |
| |) | |
| RALPH ROBERTS REALTY, LLC, <i>et al.</i> ¹ |) | Case No. 12-53023 |
| |) | (Jointly Administered) |
| |) | |
| Debtors. |) | Judge Thomas J. Tucker |
| |) | |

OBJECTION TO CLOSING OF CASE

Ralph Roberts Realty, LLC and Ralph R. Roberts (the “Debtors”), by and through Gold, Lange & Majoros, P.C., their undersigned counsel, hereby file their Objection to Closing of Case (the “Objection”). In support of this Objection, the Debtors state as follows:

Background

1. The Debtors filed a petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) on May 25, 2013.
2. An order confirming the Debtors’ chapter 11 plan was entered on February 11, 2013.
3. At this time, there are pending matters that must be resolved before these cases can be closed. First, the Debtors’ professionals, Gold, Lange & Majoros, P.C., and Sirianni & Company, PLLC and the Official Committee of Unsecured Creditors’ professionals, Carson Fischer PLC have all filed fee applications, which as of the date of this objection, remain pending. This is in part because the objection time period has not yet run with respect to the Sirianni & Company, PLLC application and in part because the Committee and Debtors’ counsel

¹ This case is jointly administered with the case of Ralph R. Roberts, Case No. 12-53024.

are attempting to reach a consensual resolution of the Debtors' informal objections to the Committee's fees.

4. Further, as of the date hereof, There are currently four pending adversary actions and one pending claim objection in these cases. The Debtors have filed three separate adversary complaints against investors whom the Debtor allege have failed to turnover amounts owed to the Debtors under the terms of the Debtors' investor program. The Debtors have also filed an adversary complaint against a group of former employees whom the Debtors believe stole confidential and proprietary information. These adversaries are all currently pending. The Debtors have also filed and currently have pending objections to the claims of The Mazzara Law Firm. The Mazzara Law Firm has responded to the Debtors' objection, and, after a preliminary hearing is set for April 3, 2013, the matter has been set for further briefing and an adjourned hearing set for May 8, 2013.

5. Therefore, although the Debtors have completed substantially of the tasks required to close these cases, there are still pending matters that require that the cases remain open.

6. As a result, these cases cannot be closed by the deadline in the Notice of Confirmation, as it would preclude the Debtors from completing the remaining tasks necessary to fully administer their bankruptcy estates.

Relief Requested and Basis for Relief

7. The Debtors respectfully request that, pursuant to Bankruptcy Rule 9006(b) and Local Rule 9006-1(b), this Court enter an order allowing this case to remain open until the Debtors notify this Court that the cases have been fully administered and should be closed.

8. Although the Debtors' plan has been confirmed, the Debtors have several matters, as discussed above, that must be completed before their bankruptcy cases can be closed.

9. First, the pending fee application must be either granted or a hearing scheduled to consider any objections that may be filed. Until this matter is resolved, the bankruptcy case cannot be closed.

10. Second, the four pending adversary proceedings must either be settled or resolved through dispositive motions or a trial on the merits. These matters must also be resolved before the bankruptcy cases can be closed.

11. Third, there is currently a pending motion for the entry of Mr. Roberts' individual discharge. Until the objection period with respect to that motion has run, and either an order is entered or a further hearing is scheduled, these bankruptcy cases should not be closed.

12. Finally, the pending objection to the fees of The Mazzara Law Firm must also be resolved before these bankruptcy cases can be closed.

13. For the foregoing reasons, the Debtors believe that good cause exists to keep these bankruptcy cases open so that they can fully administer their estates for the benefit of all creditors. The Debtors understand and acknowledge that they will be required to promptly pay United States Trustee fees as they become due, and that they will be responsible for notifying the Court when their estates are fully administered and the cases can be closed.

WHEREFORE, Ralph Roberts Realty, LLC and Ralph R. Roberts respectfully object to the closing of these cases by the Court, and request that this Court enter an Order allowing the cases to remain open, as well as for such other and further relief as this Court deems just and appropriate.

Dated: April 11, 2013

Respectfully submitted,

GOLD, LANGE & MAJOROS, P.C.

/s/ Hannah Mufson McCollum

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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2013, I electronically filed the *Objection to Closing of Case* and this *Certificate of Service* with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

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¹ This case is jointly administered with the case of Ralph R. Roberts, Case No. 12-53024.

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Respectfully Submitted,

Dated: April 11, 2013

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